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SUBJECT: NIGERIA'S INDEPENDENT NATIONAL ELECTORAL  
COMMISSION CONVENES TWO-DAY SEMINAR WITH STAKEHOLDERS

1. Summary: Nigeria's National Electoral Commission (INEC) conducted a widely-publicized INEC-Civil Society Forum on November 27-28, 2003, the first of its kind, to elicit input on the direction of electoral reform leading up to the country's next Presidential and National Assembly elections, scheduled for early 2007. The President of the Federal Republic of Nigeria, Olusegun Obasanjo gave an important keynote address on election reform issues (septel), and other important members of the Government -- including many INEC Commissioners -- participated. Nigerian civil society was rather less represented, 5 of 18 presenters, and 3 of those were lawyers commenting on the judiciary. Three non-Nigerian consultants and INEC gave presentations, and there were no scheduled presenters from Nigeria's opposition parties in the opening session, even though 22 parties were represented during a reserved period, 8:30 pm - 10:30 pm, on the first day.

2. Participants at the seminar expressed concerns about INEC's lack of independence from the Federal Government, and recommended that steps be taken to ensure that INEC functions with expected levels of integrity, competency, and neutrality. The seminar observed that State Independent Electoral Commissions (SIECs) also needed to break free from the political dictates of State Governments, and recommended that provisions to ensure financial and political independence be put in place. The seminar noted that credible political competition between and among political parties required the existence of minimum operational standards, and recommended that INEC and the political parties engage in constructive discussions to specify their expectations of each other's conduct and responsibilities. Finally, the seminar noted that failure to conduct local government elections since June 2002 impaired Nigerians' constitutional right to live under democratically-elected governments at all levels, and recommended that funds be allocated to conduct local government elections on or before March 31, 2004. End Summary

3. On November 27-28, 2003, Nigeria's Independent National Electoral Commission (INEC) held "The INEC-Civil Society Forum Seminar on Agenda for Electoral Reform" at its Media Results Center in Abuja. The Seminar's opening session drew a high-level and diverse audience from political parties, State Independent Electoral Commissions (SIECs), civil society, as well as the international diplomatic and donor community, for presentations by INEC Chairman Sir Abel Guobadia, Transitional Monitoring Group (TMG) Chairman Festus Okoye, and Nigeria's President, Olusegun Obasanjo.

4. Reflecting upon the nation's recent electoral experience (April/May 2003), INEC's Chairman noted that reforms would be necessary for INEC to improve upon its performance in 2003. First, the Chairman suggested that there was need for a constitutional provision establishing INEC's independence from the Executive branch. The Chairman noted further that INEC's independence required that its operational funding come from the Federation's Consolidated Revenue fund, not the GON budget. The Chairman suggested that voter education activities needed to be placed directly under INEC's control, and that continuous voter registration procedures needed to be put in place.

5. In response to earlier proposals (reftel), the Chairman pointed to a need to regulate political parties, not only at the point of registration, but also during the course of election campaigns. There was a need to stagger elections, so that all public offices were not being contested at the same time every four years, and a further need to move away from manual voting to mechanized procedures. Finally, the Chairman argued that steps were needed to improve the competence of returning officers, who were tasked with declaring results to the electorate.

6. The Transition Monitoring Group's (TMG) Chairman, Festus Okoye, speaking on behalf of the civil society organizations at the seminar, remarked that for democracy to survive in Nigeria until 2007, the problems seen in the

nation's 1999 and 2003 elections needed to be addressed. Echoing the Chairman's earlier sentiments, Mr. Okoye noted that INEC needed to be fully independent and unfettered in its structure, operations and funding, and that voter registration and identification procedures needed to be improved to preclude under-age and "ghost" voting. Mr. Okoye also highlighted the need to improve voter education, ensure consistency and quality control over information, so that voters understood what was expected from them.

17. President Obasanjo began his keynote address by commending the spirit of constructive cooperation between and among INEC, civil society and political parties in working to achieve a higher level of quality in Nigeria's electoral practices in the workshop. The President noted that it was a national priority to address flaws in the current system well before the 2007 elections, and that such an important task needed the support and input of all stakeholders, not just INEC or government alone.

18. President Obasanjo reflected critically upon Nigeria's first-past-the-post electoral system, which to him, "educes all political activity to the sole objective of winning elections and polarize(s) our people and politicians around who wins and who loses". The President looked critically at the cost of elections, noting that the N50 billion (approx. USD 35 million) spent on the last election was "unacceptably high", and asked rhetorically if the will of the people could find expression in the face of so much money. The President lauded the role that political parties played in elections, but stressed that they must "operate responsibly to aggregate, articulate and represent citizens' concerns." President Obasanjo argued further that "parties which exist only to collect grants from government, or fail to submit to the basic demands for accountability and transparency, or who fail to achieve an acceptable minimum of impact during elections must be) e-registered where necessary". The President noted his support for greater INEC and SIEC independence, provided they were able to operate with integrity and competence within practical financial resource perimeters. The President expressed concerns over the mushrooming number of election disputes (note: 900 of 1,600 election results were contested in 2003), as well as the length of time involved in processing such disputes. In closing the President noted that while Nigeria's elections needed to be open to international scrutiny, it was necessary to encourage and empower local observer groups, who, according to him, have a higher stake in election outcomes, and are better acquainted with Nigeria's history, its cultures, and the practical realities of the current situation.

19. Subsequent Day One sessions addressed "Best Practices in Legislating Electoral Reform", dealing with existing electoral system models in operation around the world; "A Critique of the Nigerian Electoral System and Analysis of Options", examining the shortcomings of Nigeria's first-past-the-post electoral system; and, "What Cost, Democracy?", a session examining issues related to election funding, campaign finance, and the relationship between politics and corruption. The day closed with an open forum where each of the participating political parties was given an opportunity to comment on its recent elections experiences and make suggestions for improving the process in advance of the 2007 elections.

10. Day Two's presentations began with an examination of electoral reform from the perspectives of civil society, National and State Electoral Commissions, and covered issues related to independence, Commission funding, constituency delimitation, voter education and registration, registration and management of political parties, campaign finance, results management (tabulation and reporting), and the adjudication of election disputes. The follow-on session examined the roles played by the executive and legislative branches in facilitating and enacting key electoral reforms, and then the judiciary's role in settling election disputes.

11. Following a presentation on improving electoral access for citizens with disabilities, a limited plenary session afforded all participants a final opportunity to express opinions on the issues raised during the seminar, or those not adequately covered during the seminar's formal proceedings. Following this session, a statement, covering the seminar's main observations and recommendations, was distributed and discussed. The seminar concluded with a call for further meetings of this type to be held in each of the country's six geo-political zones.

12. Comment: The seminar was well-attended and the presence of INEC Commissioners throughout ensured that key stakeholder views were heard firsthand, unedited and unabashed. While a formal summary of the seminar's proceedings will be submitted to INEC in due course, the tone of urgency reverberating in many participants'

interventions is unlikely to be captured therein. Clearly, stakeholders recognized the shortcomings of the 2003 elections and many had positive and constructive suggestions for improving the process in advance of the 2007 elections. The proceeding's comportment bespeaks a broad-based and inclusive approach to policy reform in Nigeria, as well as a willingness to work across regional, ethnic, gender and political party lines to achieve a common objective. Above all, seminar participants uniformly expressed enthusiastic commitment to democracy, eschewing the country's historical preferences for predictable authoritarian regimes. One of the seminar's presenters asked if democracy should precede development, or vice versa. The response from the floor, which received a loud round of applause, was that development without democracy could hardly be characterized as development, at all.

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